

### **REMARKS**

This is in full and timely response to the Office Action mailed April 20, 2004.

By this Amendment, claims 1 and 3 were amended to recite that the resin fine particles are one of a solid and a powder. Support for this amendment can be found variously throughout the specification, for example, at page 15, lines 1-2. New claim 4 was added to recite that the ratio of isocyanate group in the (D) component to 1 equivalent of hydroxyl group in the (A) component is greater than 2.0 equivalents and less than or equal to 4.0 equivalents. Support for this claim can be found variously throughout the specification, for example, page 9, line 2-12. New claims 5-8 further narrow the value of the ratio of the isocyanate group to the hydroxyl. Support for this claim can be found variously throughout the specification, for example, page 9, lines 2-12. No new matter was added.

Reexamination and reconsideration in light of the above amendments and the following remarks is respectfully requested.

### **Rejections under 35 U.S.C. §103**

Claims 1-3 are rejected under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 6,706,801 to Blum et al. Applicants respectfully traverse this rejection.

Claim 1 recites a coating composition for undercoat comprising: (A) an acrylic resin having a hydroxyl value of 30 to 85, a glass transition temperature (T<sub>g</sub>) within the range of 40 to 90°C and a weight average molecular weight of 1000 to 30000, (B) a pigment, (C) resin fine particles, said resin fine particles are one of a solid and a powder, (D) a polyisocyanate compound, and (E) a curing catalyst; wherein: a ratio of isocyanate group in the (D) component to 1 equivalent of hydroxyl group in the (A) component is 2.0 to 4.0 equivalents; content of the (B) component is from 100 to 500 parts by weight relative to 100 parts by weight of resin solid matter; the (C) component is mixed so as to be from 0.1 to 5% by weight as a solid matter relative to the weight of the (B) component, and wherein the total solid matter when (A), (B), (C), (D) and (E) are combined is 55-70%.

Claim 3 recites a coating method for repair comprising steps of: conducting surface treatment at a part to be repaired; providing undercoat; and providing topcoat; wherein a coating



composition for the undercoat comprises: (A) an acrylic resin having a hydroxyl value of 30 to 85, a glass transition temperature ( $T_g$ ) within the range of 40 to 90°C and a weight average molecular weight of 1000 to 30000, (B) a pigment, (C) resin fine particles, said resin fine particles are one of a solid and a powder, (D) a polyisocyanate compound, and (E) a curing catalyst; wherein: a ratio of isocyanate group in the (D) component to 1 equivalent of hydroxyl group in the (A) component is 2.0 to 4.0 equivalents; content of the (B) component is from 100 to 500 parts by weight relative to 100 parts by weight of the resin solid matter; the (C) component is mixed so as to be from 0.1 to 5% by weight as a solid matter relative to the weight of the (B) component, and wherein the total solid matter when (A), (B), (C), (D) and (E) are combined is 55-70%.

Accordingly, the present claimed invention can make the solid matter content to be high, approximately 55-70%, based on the members of the composition, then makes it available to obtain a thick coating of approximately 50-500 $\mu$ m when applied. The total solid of 55-70% is at the time the coating is applied, and not to the dried coating. This is consistent with the claim language since it recites the coating material components. Then the coating is excellent in covering or hiding undercoating. Additionally, the thick coating makes it easier to maintain or repair and may simplify the putty process if the damage on the coating is small.

In contrast, Blum et al. '801 discloses using oligomeric and or polymeric products in liquid state of 100%, or as an aqueous dispersion or as an emulsion. Blum et al. '801 does not disclose, teach or suggest that the resin fine particles are in a solid or power form.

Since Blum et al. '801 fail to disclose, either explicitly or implicitly, teach or suggest at least the above-noted elements recited in independent claims 1 and 3, Blum et al. '801 cannot render the claims unpatentable. At least in view of the foregoing, claims 1 and 3 are allowable, and the rejection should be reconsidered and withdrawn.

Additionally, claim 2, being dependent upon allowable claim 1, is also allowable for the reasons above. Moreover, this claim is further distinguished by the additional features recited therein, particularly within the claim combination.

Accordingly, withdrawal of the §103 rejection is respectfully requested.

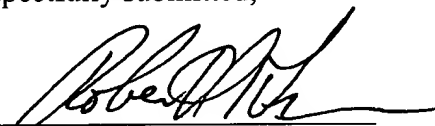


**Conclusion**

For the foregoing reasons, claims 1-8 are allowable, and the present application is in condition for allowance. Accordingly, favorable reexamination and reconsideration of the application in light of these amendments and remarks is courteously solicited. If the examiner has any comments or suggestions that would place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the number below.

Dated: July 20, 2004

Respectfully submitted,

By 

Robert S. Green

Registration No.: 41,800  
RADER, FISHMAN & GRAUER PLLC  
The Lion Building  
1233 20th Street, N.W., Suite 501  
Washington, DC 20036  
(202) 955-3750  
Attorney for Applicant

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 180013 for any such fees; and applicant(s) hereby petition for any needed extension of time.